

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

RONALD BARROW,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 3:14-cv-800-NJR-DGW
	)	
WEXFORD HEALTH SOURCES, DR.)	)	
ROBERT SHEARING, KIMBERLY)	)	
BUTLER, DR. J. TROST, and GAIL WALLS,)	)	
	)	
Defendants.	)	

**ORDER**

**WILKERSON, Magistrate Judge:**

Now pending before the Court are the Motion for Protective Order filed by Defendant (Wexford Health Sources, Inc.) on March 24, 2015 (Doc. 80), the Motion to Compel filed by Defendants on May 15, 2015 (Doc. 97), the Motion for Blank Subpoenas filed by Plaintiff on August 5, 2015 (Doc. 106), and the Motion to Compel filed by Plaintiff on August 12, 2015 (Doc. 108).

Defendant's Motion to Compel is **MOOT** (Doc. 97). Plaintiff has represented that he mailed his responses to discovery requests on May 13, 2015, prior to the May 15, 2015 response deadline.

Plaintiff requests 10 blank subpoenas. The Clerk must issue subpoenas on request of a party. FED.R.CIV.P. 45(a)(3). However, the Court has an obligation to protect persons subject to a subpoena and may preview subpoenas in order to ensure that the Court's subpoena power is not being abused. FED.R.CIV.P. 26(b)(2)(C), 45(c); *Marozsan v. United States*, 90 F.3d 1284, 1290 (7th Cir. 1996). The Clerk is therefore **DIRECTED** to provide Plaintiff with the requested number (10) of subpoena forms, blank and unsigned. Plaintiff shall complete the forms and

submit them to the Court for review. Plaintiff shall take appropriate steps to avoid imposing undue burden or expense on a person subject to subpoena and shall restrict his requests to information that is relevant to the claims or defenses. This motion is accordingly **GRANTED IN PART** (Doc. 106).

Plaintiff's Motion to Compel is **DENIED WITHOUT PREJUDICE** (Doc. 108). A Protective Order will be entered by separate docket entry. The parties will note changes to Paragraph 4 of the proposed protective order. To the extent that Plaintiff requires copies of documents, he may file a motion with the Court identifying the document and page numbers that he requires; upon the filing of such a motion, Defendant shall submit, for *in camera*, inspection copies of the documents requested. The Court will determine if the documents are relevant to a claim or defense and whether Plaintiff shall be entitled to copies. Defendant's Motion for Protective Order is accordingly **GRANTED IN PART**.

**IT IS SO ORDERED.**

**DATED: August 14, 2015**



**DONALD G. WILKERSON**  
**United States Magistrate Judge**